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CERTIFICATE OF TRANSMISSION

APR 23 2005

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, FAX NO. (703) 872-9306 ON 22 April 2005.

NAME OF PERSON SIGNING CERTIFICATE: Scott J. Ansell

SIGNATURE: Scott J. Ansell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: David W. BALSDON)	Conformation No.: 4672
)	
Application No.: 10/812,874)	Group Art Unit: 3747
)	
Filed: 31 March 2004)	Examiner: Miller, C.
)	
For: SYSTEM AND METHOD INCLUDING A FLUID)	
ACTUATED FUEL TANK ISOLATION VALVE)	

U.S. Patent and Trademark Office
Customer Window, Mail Stop Amendment
Randolph Building
401 Dulany Street
Alexandria, VA 22314

AMENDMENT TRANSMITTAL FORM

Sir:

1. Transmitted herewith is a Request for Reconsideration Under 37 C.F.R. § 1.111 in reply to the Office Action dated 22 December 2004.
2. Additional papers enclosed:
 - ☐ Change of Correspondence Address
 - ☐ Request for Approval of Drawing Change
 - ☐ Transmittal of Drawing Replacement Sheets
 - ☐ Drawing sheets: ☐ Formal ☐ Informal (Correction)
 - ☐ Information Disclosure Statement
 - ☐ Form PTO-1449, reference(s) included
 - ☐ Citations
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Attorney Docket No. 2003P04841US-01
Application No.: 10/812,874
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3. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☐ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>[Fee for Small Entity]</u>
<input checked="" type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 450.00	\$225.00
<input type="checkbox"/> three months	\$1,020.00	\$510.00
<input type="checkbox"/> four months	\$1,590.00	\$795.00

Extension of time fee due with this request: \$120.00

If an additional extension of time is required, please consider this a Petition therefore.

☐ An extension for _____ months has already been secured and the fee paid therefore of \$_____ is deducted from the total fee due for the total months of extension now requested.

4. Constructive Petition

☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

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5. Fee Calculation (37 C.F.R. § 1.16)

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	No. Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	14	-	20	0	x \$50 each =	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	1	-	3	0	x \$200 each =	+ \$ 0.00
[] First presentation of Multiple dependent claim(s)					\$300.00	+ \$ 0.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

6. Fee Payment

- [] No fee is to be paid at this time.
- [X] The Commissioner is hereby authorized to charge \$120.00 (for extension of time fees) to Deposit Account No. 50-0310.
- [X] The Commissioner is hereby authorized to charge any additional fees that may be required, including fees due under 37 CFR §§ 1.16 and 1.17, or credit any overpayment to Deposit Account 50-0310.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: 22 April 2005

By: Scott J. Anchell

Scott J. Anchell
 Reg. No. 35,035

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In re Application of: David W. BALSDON

Application No.: 10/812,874

Filed: 31 March 2004

For: **SYSTEM AND METHOD INCLUDING A FLUID
ACTUATED FUEL TANK ISOLATION VALVE**

) Conformation No.: 4672

) Group Art Unit: 3747

) Examiner: Miller, C.

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APR 23 2005

**AMENDMENT AND REQUEST FOR
RECONSIDERATION UNDER 37 C.F.R. § 1.111**

Sir:

The Office Action dated 22 December 2004 has been reviewed and the comments of the U.S. Patent and Trademark Office have been considered. Please reconsider the application in view of the following amendments and the remarks hereinafter.

The period for replying to the Office Action has been extended one-month through 22 April 2005.